

RICHARD P. POINTER, ESQ., SBN: 86630
HINKLE, JACHIMOWICZ, POINTER & EMANUEL
2007 W. Hedding Street, Suite 100
San Jose, Ca 95128
Telephone: (408) 246-5500
Facsimile: (408) 246-1051
E-mail: rpointer@hinklelaw.com

Attorneys for Defendant
JASON HOOSON

FILED

OCT - 4 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JASON HOOSON, et al.,
Defendant.

NO: 5-12-CR-00210 HRL

STIPULATION AND ~~(PROPOSED)~~
ORDER FOR MOVING OCTOBER 4,
2012 STATUS HEARING, AND
EXCLUDING TIME

Defendants, Jason Hooson and Jason Stansbury, through their counsel Richard P. Pointer and David Johnson and the United States through Meredith J. Edwards hereby stipulate to the continuance of the status hearing from October 4, 2012, at 1:30 p.m., to December 13, 2012, at 1:30 p.m.

It is agreed between the parties that the following reasons exist for this stipulation:

(1) The office of U.S. Attorney provided the defense with substantial new discovery requiring review by the defense expert.

(2) United States Attorney, Meredith J. Edwards, has no objection to having the status conference continued.

1 The government and defense stipulate that the factors stated above provide a basis for an
 2 exclusion of time pursuant to the Speedy Trial Act (18 U.S.C. Section 3161 (h)(7)(B)(iv) in that the
 3 ends of justice outweigh the public interest in an earlier trial date.

4 Respectfully submitted,

5
 6 Dated: October 3, 2012

/s/ Richard P. Pointer
 Richard P. Pointer
 Attorney for Jason Hooson

8 Dated: October 3, 2012

/s/ David Johnson
 David Johnson
 Attorney for Jason Stansbury

10
 11 Dated: October 3, 2012

/s/ Meredith J. Edwards
 Meredith J. Edwards
 Assistant United States Attorney

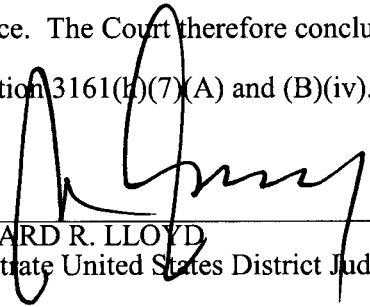
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 14 **ORDER OF COURT**

15 Based upon the stipulation of the parties, and for good cause shown, the Court reschedules
 16 the parties' October 4, 2012, status hearing to December 13, 2012 at 1:30 p.m.

17 THE COURT FURTHER ORDERS time be excluded under the Speedy Trial Act from
 18 October 4, 2012 to December 13, 2012. The court finds, based on the aforementioned reasons, that
 19 the ends of justice is served by granting the requested continuance outweigh the best interest of the
 20 public and the defendant in a speedy trial. The failure to grant the requested continuance would deny
 21 defense counsel reasonable time necessary for effective preparation, taking into account the exercise
 22 of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that
 23 this exclusion of time should be made under 18 U.S.C. section 3161(h)(7)(A) and (B)(iv).

24 SO ORDERED.

25 Dated: October 4, 2012



 HOWARD R. LLOYD
 Magistrate United States District Judge